

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE BROOKS COUNTY INDEPENDENT SCHOOL DISTRICT  
REGARDING AMENDMENT TO BROOKS COUNTY ISD'S DISTRICT OF INNOVATION PLAN**

**Whereas,** Pursuant to 12A.001 and 12A.007 of the Texas Education Code the Brooks County Independent School District Board of Trustees is able to amend the District's current District of Innovation Plan adopted on July 26, 2018; and

**Whereas,** Texas Education Code 12A.007 provides that a local innovation plan may be amended if the action is approved by a majority vote of the district-level committee established under Texas Education Code 11.251, or comparable committee if the district is exempt from that section, and the Board of Trustees by a two-thirds majority vote; and

**Whereas,** the District has adhered to Texas Education Code 12A.004 which provides that a local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

- a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;
- (2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;
- (3) state curriculum and graduation requirements adopted under Chapter 28; and
- (4) academic and financial accountability and sanctions under Chapters 39 and 39A; and

**Whereas,** Texas Education Code 12A.004 provides that the commissioner shall: maintain a list of provisions of this title from which school districts designated as districts of innovation are exempt under this chapter; and notify the legislature of each provision from which districts enrolling a majority of students in this state are exempt; and

**Whereas,** the District has adhered to Texas Administrative Code Title 19 Chapter 102 Subchapter JJ Section 102.1309 which provides an innovation district may not be exempted from identified sections of the Texas Education Code (TEC) and the rules adopted thereunder; and

**Whereas,** in addition to the prohibited exemptions specified above of this Resolution, an innovation district may not be exempted from:

- a requirement of a grant or other state program in which the district voluntarily participates;
- duties that the statute applies to the execution of that power if a district chooses to implement an authorized power that is optional under the terms of the statute; and
- requirements imposed by provisions outside the TEC, including requirements under the Texas Government Code, Chapter 822; and

**Whereas,** Texas Education Code 22.004 (i) provides notwithstanding any other provision of this section, a district participating in the uniform group coverage program established under Chapter 1579, Insurance Code, may not make group health coverage available to its employees under this section after the date on which the program of coverages provided under Chapter 1579, Insurance Code, is implemented; and

**Whereas,** Texas Education Code 22.004 is not in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to Texas Education Code 12A.004 and the list of the Commissioner's prohibited exemptions in Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309; and

**Whereas,** an exemption to Texas Education Code 22.004(i) was approved by the District Innovation Committee on July 22, 2020 by a majority vote as an amendment to BCISD's District of Innovation Plan pursuant to Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1313; and

**Whereas,** an action by the Board of Trustees by a two-thirds majority vote to approve an exemption to Texas Education Code 22.004(i) as an amendment to BCISD's District of Innovation Plan as stated in the attached Exhibit A pursuant to Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1313 will effectuate an amended District of Innovation Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

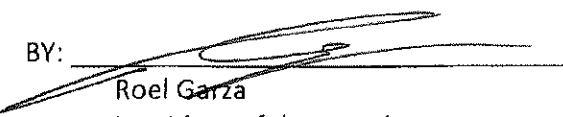
1. The findings and recitals in the preamble of this Resolution are hereby found to be true and correct.
2. The BCISD Board of Trustees determines that the District of Innovation Plan be amended to include an exemption to Texas Education Code 22.004(i) as stated in the attached Exhibit A.
3. It is hereby found, determined and declared that a sufficient written notice of the date, time, place, and subject of the meeting of the BCISD Board of Trustees at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public for the time required by Texas Government Code chapter 551, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The BCISD Board of Trustees further ratifies, approves, and conforms such written notice and posting thereof.

Motion was made by Mrs. Nora De La Paz-Ruiz, seconded by Mrs. Maria E. Anzualda, that the resolution above and foregoing be adopted.

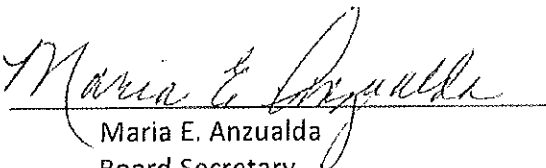
For 4      Against 0

The above resolution was voted on at a regular meeting of the Board of Trustees held on the 23  
day of July 2020.

BY: \_\_\_\_\_

  
Roel Garza  
President of the Board

ATTEST:

  
\_\_\_\_\_  
Maria E. Anzualda  
Board Secretary